

WEMMH PTO/SB/30 (09-05)

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450	Application Number	10/540,786
	Filing Date	September 21, 2005
	First Named Inventor	Andreas MELZER
	Art Unit	3734
	Examiner Name	Lindsey M. Bachman
	Attorney Docket Number	8324-2

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This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995 or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on April 3, 2007
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Request for 1 month extension of time

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 23-3030. I have enclosed a duplicate copy of this sheet.
- i. ☐ RCE fee required under 37 CFR § 1.17(e) **05/08/2007 TL0111 00000016 10540786**
- ii. ☐ Extension of time fee (37 CFR §§ 1.136 and 1.17) **01 FC:2801 395.00 OP**
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed) (\$395 for RCE + \$60 for Ext of time = \$455.00)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>James M. Durlacher</i>	Date	May 7, 2007
Name (Print/Type)	James M. Durlacher	Registration No.	28,840

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the US Patent and Trademark Office on the date shown below.

Signature	<i>James M. Durlacher</i>	Date	May 7, 2007
Name (Print/Type)	James M. Durlacher		

Send to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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